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REMARKS

The pending claims are Claims 1-7 and 22.

Claim 1 is amended to advance prosecution by reciting that the colloid-forming polymeric acid is fluorinated. Support for this can be found at page 6, lines 6-22, and page 15, lines 26-37. No new matter is introduced.

Claim 22 is added to recite that the colloid forming polymeric acid has a perfluorinated backbone and side chains of the given formula. Support for this can be found at page 7, line 31 to page 8, line 2. No new matter is introduced.

Each of the Examiner's rejections is addressed separately below.

Rejection under 35 U.S.C. § 101

Claims 1-6 were provisionally rejected under 35 U.S.C. § 101 as claiming the same invention as that of Claims 1-5, 8, and 9 of copending Application No. 10/669,577.

Applicants will take appropriate action on the provisional statutory double patenting rejection once the art-based rejection, addressed below, has been resolved.

Rejection under 35 U.S.C. § 102

Claims 1-7 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,716,550 ("Gardner"). Applicants respectfully traverse this rejection.

Claim 1 is the only independent claim and Claims 2-7 depend thereon. Thus, Claim 1 is discussed below.

The subject matter of Claim 1 is directed to a composition comprising an *aqueous dispersion* of at least one polyaniline and at least one *colloid-forming* polymeric acid. In contrast to the invention of pending Claim 1, Gardner is directed to polyaniline-protonic counter-ion complexes which are soluble in water and/or solvents. Gardner states at column 8, lines 22-27:

The electrically conductive coating compositions of this invention include a solubilized polyaniline protonic counter-ion complex. By "solubilized" is meant that the complex is present in a continuous phase (that is, dissolved) rather than as a dispersed particulate phase as is common in many prior art compositions.

Gardner does not teach or suggest an *aqueous dispersion* of polyaniline and a colloid-forming polymeric acid.

The Examiner has further cited several sections of Gardner to support the rejection. Applicants respectfully submit that none of these sections teaches or suggests Applicants' invention as recited in Claim 1, for the reasons given below:

(1) col. 11, lines 25-30:

This section discloses a polyaniline made with hydrogen chloride. Hydrogen chloride is neither polymeric nor colloid-forming and there is no suggestion of an aqueous dispersion of the polyaniline made.

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(2) col. 12, lines 38-44:

This section discloses that solubilized polyaniline-protonic counter-ion complexes of Gardner can be made using polymeric acids having a plurality of sulfo groups. Sulfonated polystyrene and sulfonated polyethylene are specifically disclosed. However, there is no suggestion of colloid-forming polymeric acids or of substituted polymeric acids. In fact, Gardner excludes colloid-forming acids since the resulting polyaniline-protonic counter-ion complexes must be soluble, and not in the form of dispersions.

(3) col. 13, lines 39-52:

This section includes a list of specific acids which can be used to supply the protonic counter ion for the solubilized polyaniline-protonic counter-ion complexes. The only polymeric acid in the list is p-polystyrenesulfonic acid. This acid is water soluble and is not colloid-forming.

(4) col. 18, lines 29-31:

This section discloses a coating composition comprised of 1% solids, 7.5% of which is a solubilized complex of polyaniline and camphorsulfonic acid. Camphorsulfonic acid is not a polymeric acid, nor is it colloid-forming. Applicants further note that the term "1% solids" does not mean that particulate matter is present. By convention, this term is used to indicate the amount of non-volatile materials present. For the Examiner's convenience, Applicants are including a copy of the Behr Paint online paint & coatings glossary with the definition of this term. The definition contained in the attachment is incorporated by reference herein.

(5) col. 14, lines 42-46:

This section describes materials that can be used as film forming binders with the polyaniline-protonic counter-ion complexes. While these materials may be colloidal, they are not acids. There is no suggestion of using colloidal acids to form the polyaniline-protonic counter-ion complexes of Gardner.

(6) col. 19, lines 35-40:

This section also discloses a coating composition comprised of 1% solids, 7.5% of which is a solubilized complex of polyaniline and camphorsulfonic acid. As discussed with respect to section (4) above, camphorsulfonic acid is not polymeric or colloid-forming, and there is no indication of the presence of an aqueous dispersion.

(7) col. 22, claim 2:

This claim recites a coating composition wherein the total solids is from about 0.1 to 6 weight percent. As discussed in section (4) above, the term "solids" when referring to a coating composition does not indicate that particulate matter is present.

(8) col. 8, lines 32-42:

This section describes polyaniline and defines the term as it is used in Gardner. Applicants' claims include polyaniline, though Claim 1, in its entirety, is directed to a

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composition comprising an aqueous dispersion of at least one polyaniline and at least one colloid-forming polymeric acid. This is neither taught nor suggested in Gardner.

(9) col. 9, lines 25-50:

This section sets forth representative polyaniline structures Ia - Id. Applicants' remarks in section (8) above, are equally applicable here. Applicants' Claim 1 is directed to a composition comprising an aqueous dispersion of at least one polyaniline and at least one colloid-forming polymeric acid. This is neither taught nor suggested by Gardner here.

(10) col. 11, lines 1-14:

This section lists specific aniline monomers and substituents. Applicants' remarks in section (8) above are equally applicable, and reiterated in their entirety, here.

(11) col. 9, lines 18-20:

This section addresses the number of hydrogens and substituents on the aniline monomer. Applicants restate their remarks from section (8) above.

(12) col. 24, claim 11:

This claim recites specific protonic acids which can be used to form the complex with polymeric polyaniline. Applicants respectfully traverse the Examiner's statement that fluorinated polymeric sulfonic acids are taught. Gardner's claim 11 includes trifluoromethanesulfonic acid and C_8F_{17} -sulfonic acid, both of which are fluorinated but not polymeric. Gardner's claim 11 includes p-polystyrenesulfonic acid, which is polymeric but not fluorinated and, as noted above, is not colloid-forming. All of the other acids listed in Gardner's claim 11 are non-fluorinated and non-polymeric. None of the acids in Gardner's claim 11 is a fluorinated polymeric sulfonic acid, as recited in Applicants' Claim 5.

(13) col. 10, line 22:

This section recites substituents which may be situated on any of the R groups in structures Ia-Id of Gardner, which are polyaniline structures. Thus the "halo" recited in this section, is a substituent on a substituent of polyaniline, and is not related at all to the protonic acid of Gardner. There is no teaching or suggestion here of a fluorinated polymeric sulfonic acid, as recited in Applicants' Claim 5.

(14) col. 13, lines 8-26:

This section addresses preferred embodiments for Gardner's protonic acid which can be used to form the complex with polymeric polyaniline. Applicants respectfully submit that none of the acids described here is polymeric. While Gardner does indicate that there may be one or more "halo" substituents on the acid, there is no teaching or suggestion of perfluorinated acids. There certainly is no teaching or suggestion of a fluorinated polymeric sulfonic acid which is a perfluoroalkylene sulfonic acid, as recited in Applicants' Claim 6.

(15) col. 21, lines 32-37:

This section discloses the addition of particles of cobalt doped iron oxide to solutions of a polyaniline/camphorsulfonic acid complex. As discussed above, the compositions of

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Gardner are solutions, not aqueous dispersions. There is no teaching or suggestion of an aqueous dispersion of at least one polyaniline and at least one colloid-forming polymeric acid and further comprising at least one material as recited in Applicants' Claim 7.

SUMMATION

An anticipating reference cited under 35 U.S.C. §102(b) must set forth each and every element of the claim or claims under review, and these must be shown identically in a single reference, for the rejection to be supportable. *In re Bond*, 910 F.2d 831, 832 (CAFC 1990). The reference must also enable one of ordinary skill in the art to produce the claimed invention for that reference to anticipate the subject claims. *In re Donohue*, 766 F.2d 531, 533 (CAFC 1985). Applicants' Claim 1 is directed to a *composition* comprising an *aqueous dispersion* of at least one polyaniline and at least one *colloid-forming polymeric acid*. The emphasis has been added to indicate the elements of Claim 1 that have not been disclosed, taught or suggested by the reference cited herein.

Applicants respectfully submit that *Gardner* does not teach or suggest the composition as recited in Claim 1, or those in any of dependent claims 2-6, or the composition of Claim 1 and additional materials of the *Markush* group as listed in pending Claim 7. Accordingly, there is no anticipation, and Applicants respectfully request that this rejection be withdrawn.

CONCLUSION

In view of the foregoing remarks, Applicants submit that the above referenced pending application is in condition for allowance. A Notice of Allowance for Claims 1-7 is earnestly solicited.

Applicants request a one-month extension of time within which to file this paper as authorized under 37 C.F.R. §1.136(a). Please charge the fee specified in 37 C.F.R. §1.17(a)(1) to Deposit Account No. 04-1928 (E.I. du Pont de Nemours and Company). Should the Examiner have any questions concerning the status of the application or the matters set forth in this paper, the Examiner is invited to call the undersigned at the telephone number given below.

Respectfully submitted,



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